

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**ANGELINE MONTGOMERY,**

Plaintiff,  
vs.

**MIDLAND CREDIT MANAGEMENT,  
INC.; MIDLAND FUNDING, LLC;  
and BURTON NEIL & ASSOCIATES,  
P.C.,**

Defendants.

**Civil Action No.**

**2:12-CV-01244-MSG**

**DAUBERT MOTION OF DEFENDANTS, MIDLAND CREDIT MANAGEMENT,  
INC., MIDLAND FUNDING, LLC AND BURTON NEIL & ASSOCIATES, P.C. TO  
PRECLUDE PLAINTIFF'S EXPERT,  
DANIEL S. BERNHEIM**

Defendants, Midland Credit Management, Inc., Midland Funding, LLC and Burton Neil & Associates, LLC by and through their counsel, Marshall Dennehey Warner Coleman & Goggin, P.C., respectfully move to preclude the expert testimony of Daniel S. Bernheim from trial under Daubert v. Merrell Dow Pharmas., Inc., 509 U.S. 579 (1993).

Respectfully submitted,

**MARSHALL DENNEHEY WARNER  
COLEMAN & GOGGIN, P.C.**

By: /s/ Ronald M. Metcho / rmm5150  
RONALD M. METCHO, ESQUIRE  
ANDREW M. SCHWARTZ, ESQUIRE  
Attorneys for Defendants,  
Midland Credit Management, Inc.,  
Midland Funding, LLC and  
Burton Neil & Associates, P.C.

Dated: July 19, 2013